



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,679	12/21/2001	Gregg A. Bouchard	3-7-4-4-7-2	3296

7590 06/14/2006

Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560

EXAMINER

TRUONG, LAN DAI T

ART UNIT PAPER NUMBER

2152

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/029,679	BOUCHARD ET AL.	
	Examiner	Art Unit	
	Lan-Dai Thi Truong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is response to communications: application, filed 12/21/2001; amendment filed 03/20/2006. Claims 1-20 are pending. Claims 1, 2, 3, 4, 5, 6, 8, 11, 12, 15, 16, 18, 19 are amended by applicant. Claim 10 canceled.

2. The applicant's arguments file on 03/20/2006 have fully considered but they are moot in view with new ground for rejection

Claims object

Claim 12 is objected for reasons: applicant states claim 12 is depended in claim 10; However claim 10 is cancelled. For examining purpose, Examiner assumes claim 12 is depended in claim 1

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 3, 6, 11-20 are rejected under 35 U.S.C 103(a) as being un-patentable over Rostoker et al. (U.S. 5,623,494) in view of Westbrook et al. (U.S. 6,934,760)

Regarding to claim 1:

Rostoker discloses the invention substantially as claimed, including a, which can be implemented in a computer hardware or software code for reassembling a single stream of packets, comprising:

first processing circuitry for performing a first function; first reassembly circuitry, associated with the first processing circuitry, for reassembling segments of received packets into reassembled packets, the segments to be reassembled being related to the first function; first memory circuitry, associated with the first processing circuitry, for storing the packets reassembled by the first reassembly circuitry, wherein the reassembled packets stored by the first memory circuitry are used by the first processing circuitry in accordance with the first function; at least second processing circuitry for performing a second function; at least second reassembly circuitry, associated with the second processing, for reassembling at least a portion of the same segments of packets reassembled being related to the second function: (Rostoker discloses plurality of “ATM terminal units” which is equivalent to “reassembly circuits;” each of ATM terminal unit connected with “host unit” which is equivalent to “processing circuitry.” Because applicant does not clearly disclose if first function and second function are distinct; so they could execute the same job/or task : abstract, lines 1-28; column 3, lines 34-47; column 4, lines 20-26; column 6, lines 48-56; 57-67; figure 2)

However, Rostoker does not explicitly disclose least a portion of the reassembled packets stored in the first memory circuitry and the second memory circuitry are the same, wherein the reassembled packets stored in the second memory circuitry by the second processing circuitry in accordance with the second function

In analogous art, Westbrook discloses a transmission system includes a plurality of reassembly components may reassemble a single stream of packets or more than one streams of packets: (column 7, lines 22-27, 55-60)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Westbrook's ideas of a plurality of reassembly components may reassemble a single stream of packets with Rostoker's system in order to provide an improved reassembling system: (Rostoker: column 3, lines 14-26)

Regarding to claim 15:

This claim is rejected under rationale of claim 1

Regarding to claim 18:

This claim is rejected under rationale of claim 1

Regarding to claim 6:

This claim is rejected under rationale of claim 1: (Rostoker: abstract, lines 1-28; column 3, lines 34-47; column 4, lines 20-26; column 6, lines 48-56; 57-67; figure 2)

Regarding to claim 12:

In addition to rejection in claim 1, Rostoker - Westbrook further discloses method of reassembling ATM cells: (Rostoker: abstract, lines 1-28)

Regarding to claims 11 and 13-14:

This claim is rejected under rationale of claim 1

Regarding to claim 2:

In addition to rejection in claim 1, Rostoker - Westbrook further discloses wherein the first processing circuitry, the first reassembly circuitry, the first memory circuitry, the second

Art Unit: 2152

processing circuitry, the second reassembly circuitry and the second memory circuitry are implemented on the same integrated circuit: (Rostoker discloses plurality of “ATM terminal units” which is equivalent to “reassembly circuits;” each of ATM terminal unit connected with “host unit” which is equivalent to “processing circuitry.” Because applicant does not clearly disclose if first function and second function are distinct; so they could execute the same job/or task : abstract, lines 1-28; column 3, lines 34-47; column 4, lines 20-26; column 6, lines 48-56; 57-67; figure 2)

Regarding to claims 3; 16-17 and 19-20:

In addition to rejection in claims 1, 15 and 18, Rostoker - Westbrook further discloses the first processing circuitry and the first memory circuitry are implemented on a first integrated circuit, and the second processing circuitry and the second memory circuitry are implemented on a second integrated circuit: (This claim is rejected under rationale of claim 1 under light of the Rostoker: abstract, lines 1-28; column 3, lines 34-47; column 4, lines 20-26; column 6, lines 48-56; 57-67; figure 2)

Claims 7 is rejected under 35 U.S.C 103(a) as being un-patentable over Rostoker-Westbrook in view of Sethuram et al. (U.S. 6,058,114)

Regarding to claim 7:

Rostoker - Westbrook discloses the invention substantially as disclosed in claim 6, but does not explicitly teach wherein the first function comprises a packet classifying operation

However, in analogous art, Sethuram discloses “a sorter” which is shared functionality with “classifier:” abstract, lines 1-15)

Art Unit: 2152

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Sethuram's ideas of using classifying packet with Rostoker - Westbrook's system in order to provide an improved reassembling system: (Rostoker: column 3, lines 14-26)

Claims 8-9 are rejected under 35 U.S.C 103(a) as being un-patentable over Rostoker-Westbrook in view of Germar et al. (U.S. 6,483,839)

Rostoker - Westbrook discloses the invention substantially as disclosed in claim 1, but does not explicitly teach a traffic manager

However, in analogous art, Germar discloses a traffic manager: (abstract, lines 1-12)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Germa's ideas of using a traffic manager with Rostoker - Westbrook's system in order to provide an improved reassembling system: (Rostoker: column 3, lines 14-26)

Claim 4 is rejected under 35 U.S.C 103(a) as being un-patentable over Rostoker-Westbrook in view of Wallis (U.S. 4,149, 243)

Regarding to claim 4:

Rostoker - Westbrook discloses the invention substantially as disclosed in claim 1, but does not explicitly teach wherein the first function and the second function are performed by an integrated circuit

However, in analogous art, Wallis discloses a method for executing system supervisory and task management functions. Wallis also teaches "a multiprocessor system" which is shared functionality with "an integrated circuit," therefrom, the first subunit processor implements first

Art Unit: 2152

function, the second subunit processor implements second function. The subunit processor performed under controls of other on within the multiprocessor system:” column 2, lines 28-52; column 3, lines 41-67; column 4, lines 1-7)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Wallis’s ideas of perform first and second function within on integrated circuit with Rostoker - Westbrook’s system in order to provide an improved reassembling system: (Rostoker: column 3, lines 14-26)

Claim 5 is rejected under 35 U.S.C 103(a) as being un-patentable over Rostoker-Westbrook in view of Ostrand et al. (U.S. 4,593,357)

Regarding to claim 5:

Rostoker - Westbrook discloses the invention substantially as disclosed in claim 1, but does not explicitly teach wherein the first function and the second function are performed by different integrated circuits

However, in analogous art, Ostrand discloses a plurality of integrated circuits are housed in separate circuit board, see (column 5, lines 18-19)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Ostrand’s ideas of a plurality of integrated circuits are housed in separate circuit boards with Rostoker - Westbrook’s system in order to provide an improved reassembling system: (Rostoker: column 3, lines 14-26)

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2152

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusions

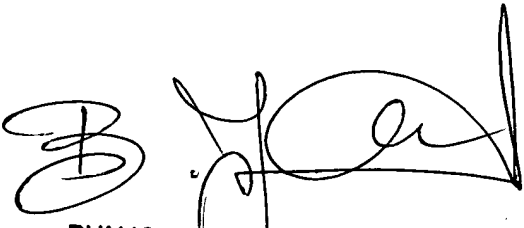
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2152

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ldt,
06/11/2006



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER